GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department - Public Services - Police – Implementation of the Orders of the APAT in O.A.No.5343/2010 filed by Sri K.Subba Rao, RSI (Retd), CAR, Vijayawada City i.e. setting aside the penalty of 10% cut in pension for a period of 5 years treating the suspension period as on duty – Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.RT.No. 224 Dated: 17-03-2017

Read the following:-

1. G.O.Ms.No.56, Home (Ser-II) Department, dated 27.01.2009.
2. Orders of the APAT in OA No.5343/2010 dated 04-01-2013.
3. From the Director General of Police, AP, Hyderabad Letter Rc.No.1335/Appeal-3/T1/2009, dated 09-05-2013, 07-07-2015 & 08-01-2016.
4. From the Secretary, APPSC, Lr.No.172/DC&C/1/2017, dt. 14-02-2017

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ORDER:

In the reference 1st read above, Government issued orders imposing the penalty of 10% cut in pension for a period of 5 (five) years treating the suspension period from 13-06-2002 to 15-07-2002 as Not on duty against Sri K.Subba Rao, RSI (Retd), CAR, Vijayawada City formerly West Godavari District.

2. Aggrieved by the above Sri K.Subba Rao, RSI (Retd), CAR, Vijayawada City approached the APAT, Hyderabad and filed O.A.No.5343/2010. The Hon'ble Tribunal while disposing the said OA, has passed the following orders on 04-01-2013:

> "The OA is allowed setting aside the impugned G.O.Ms.No.56, Home (Ser-II) Department, dated 27-01-2009 issued by the 1st respondent and also the consequential proceedings issued by the Accountant General in order P9/IV/S-3361/SP805/2006-03, dated 17.11.2009, the amounts, if any, recovered from the pensionery benefits/pension of the applicant, pursuant to the above orders, shall be refunded to him, within a period of 2 months from the date of receipt of a copy of this order".

3. In the reference 3rd read above, the D.G.P., AP requested the Government to pass necessary orders on the above said APAT orders, as the Government is the competent authority to take action against the retired employee as per AP Revised Pension Rules, 1980.

4. Government have examined the same and decided to implement the orders of the APAT in OA No.5343/2010 dated 04-01-2013 i.e., to set-aside the penalty of 10% cut in pension for a period of 5 (five) years and treating the suspension period from 13-06-2002 to 15-07-2002 as on duty, against Sri K.Subba Rao, RSI (Retd), CAR, Vijayawada City, as the RSI was not directly responsible for one of the Escort Constables not taking the weapon and abandoning the escort midway which led to 2 prisoners assaulting the sole constable on escort duty and escaping with his weapon and ammunition.

(p.t.o)

5. The matter was referred to the A.P. Public Service Commission for their concurrence in the matter. The A.P. Public Service Commission, in the letter 4th read above, have agreed with the proposal of the Government.

6. Government after careful examination of the matter hereby set-aside the penalty of 10% cut in pension for a period of 5 (five) years and treating the suspension period from 13-06-2002 to 15-07-2002 as on duty, against Sri K.Subba Rao, RSI (Retd), CAR, Vijayawada City.

7. The Director General of Police, A.P., Hyderabad, is requested to take necessary further action in the matter accordingly. The original records received through the letter 3rd read above are returned herewith and receipt of the same should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

A.R.ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Hyderabad. (with records)
Copy to:-
The individual concerned. (through the D.G.P., A.P., Hyderabad)
The Secretary, A.P. Public Service Commission, Hyderabad.
The Accountant General of Andhra Pradesh, Hyderabad.
The Government Pleader for Home, APAT Hyderabad.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER